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## Air Force General Assailed on Immunity Deal

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ANDREWS AIR FORCE BASE, Md., Sept. 9 — In the second day of pretrial hearings, attorneys for Second Lieut. Christopher M. Cooke of the Air Force, who is accused of passing information to the Soviet Embassy in Washington, contended today that an Air Force general had unilaterally changed the conditions of an immunity agreement.

With the lieutenant sitting beside him, F. Lee Bailey, a defense attorney, said that Brig. Gen. C. Claude Teagarden, staff judge advocate of the Strategic Air

Command, had resorted to "gross fabrication" in the Cooke case.

At issue is General Teagarden's assertion, reportedly made on June 8, that Lieutenant Cooke had abrogated an immunity agreement by making false statements in early interviews with Air Force interrogators.

"We think General Teagarden made up a story on June 8," Mr. Bailey said.

General Teagarden has not appeared as a witness here, and Mr. Bailey told reporters today that he has no intention of calling him.

Earlier today, Maj. Gen. James Taylor Jr., the Air Force's second-ranking legal officer, testified that Lieutenant Cooke had been offered immunity in exchange for giving details about information he conveyed to Soviet military and embassy officials.

"It was my understanding," General Taylor said, "that unless Cooke failed to take a polygraph or was not forthcoming that the Air Force was bound by the immunity agreement."

The hearing was scheduled after the lieutenant's attorneys asserted that he should not be court-martialed because he was granted immunity from prosecution by the Air Force. If he is court-martialed and convicted of the charges of nine unauthorized visits to the Soviet Embassy and with passing information to Soviet officials, he could face a maximum sentence of 52 years confinement at hard labor.

### Few Questions on Charges

Questioning in the tiny and austere courtroom at the 1776th Air Base Wing again focused less on the charges against Lieutenant Cooke than on the form and content of the agreement worked out among Air Force officers and the Air Force's Office of Special Investigations, which conducted the interrogation of the officer.

According to a copy of the agreement obtained from court records, Lieutenant

Cooke would be allowed to resign from the Air Force if he cooperated fully and honestly with a team of Air Force questioners. Lieut. Col. Jerome E. Hoffman, an agent with the special investigations office, testified today that he believed the lieutenant had fulfilled the requirements of the agreement.

The contention that the 28-year-old deputy commander of a Titan 2 intercontinental ballistic missile crew had abrogated the agreement was based on Air Force's assertion that a response to a question, as recorded on a polygraph machine, was inconclusive.

At today's session several classified documents were introduced and a tape of discussions between Colonel Hoffman and Lieutenant Cooke was played.

In those discussions, Colonel Hoffman outlined the immunity agreement he said had been worked out with General Teagarden's knowledge.

On the tape, Colonel Hoffman emphasized to the lieutenant that the Air Force's concern for its Strategic Air Command and weapons system negated its concern "to nail you to the wall."

Colonel Hoffman was heard to say further that the immunity offer would hold "even if you compromised entire missile systems. That's a hell of an offer they're making. In their mind, they don't know you didn't give away everything SAC has. They want to know if there's been damage and, to what extent, on their ability to wage war."